

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 03-12543-RGS

BROOKE K. WHITMAN, Individually and as  
Mother and Next Friend of SAMANTHA KATE WHITMAN, a minor,  
and JOEL WHITMAN, Individually

v.

AUTOMATIC DATA PROCESSING, INC.,  
CHANNEL ONE COMMUNICATIONS  
CORPORATION, d/b/a CHANNEL ONE NETWORK,  
and PRIMEDIA, INC.

ORDER ON PLAINTIFF'S MOTION TO FILE  
A SECOND AMENDED COMPLAINT  
AND DEFENDANTS' MOTION TO DISMISS

February 18, 2004

STEARNS, D.J.

Leave to amend is GRANTED. Resolution Trust Corp. v. Gold, 30 F.3d 251, 253 (1st Cir. 1994). The motion to dismiss is DENIED as to defendant Channel One Communications Corp. The motion is ALLOWED as to defendant Primedia, Inc. See De Castro v. Sanifill, Inc., 198 F.3d 282, 283 (1st Cir. 1999); Andresen v. Diorio, 349 F.3d 8, 12 (1st Cir. 2003).

SO ORDERED.

/s/ Richard G. Stearns

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UNITED STATES DISTRICT JUDGE